

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Jean-Luc Lesur	)	Group Art Unit: 3725
Application No.: 10/524,563	)	Examiner: JAMILA O. WILLIAMS
Filed: February 14, 2005	)	Appeal No.: _____
For: CUSTOMISED MULTI-LAYER	)	
CARD COMPRISING FRACTURE	)	
INITIATION SCORES AND	)	
METHOD OF PRODUCING ONE	)	
SUCH CARD	)	

**REPLY BRIEF**

**Mail Stop REPLY BRIEF - PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply Brief is being filed in response to arguments raised in the Examiner's Answer ("Answer") dated August 18, 2009.

In lines 2-5 on page 6 of the Answer, the Examiner alleges that "(l)ooking at figure 2 or 3 of Maurer there are several markings created by varying the dosage of energy from the laser, In all instances that is material remaining at the interface between the film and card body that can be considered a weld bead." However, the Examiner has failed to provide any rationale or evidence that weld beads would necessarily be formed during creation of the various markings.

In lines 6-11 on page 6 of the Answer, the Examiner alleges with respect to Maurer's areas 15-17 and 29 that "(t)he heat from the laser would inherently cause melting of the plastic material in those areas." However, the Examiner has failed to provide any rationale or evidence that plastic material in those areas would necessarily be melted at all, much less so as to form weld beads.

In lines 11-15 on page 6 of the Answer, the Examiner alleges with respect to lines 26-30 of column 5 of Maurer that darkened areas 18 can be considered a weld bead at the interface. However, the Examiner has failed to provide any rationale or

evidence that the areas 18 necessarily form weld beads. Moreover, it is clear from a careful study of Maurer's Fig. 2 that the areas 18 are not at an interface.

In lines 16-18 on page 6 of the Answer, the Examiner alleges that "melted material at 20 clearly occurs at the interface and would be a mixing of the film material melted into the card body." However, lines 35-37 of column 5 of Maurer state that "cover film 11 is burned through, so that not only is a channel 19 penetrating cover film 11 formed, but discolored areas 20 are formed on the surface of card inlay [sic- inlay] 13". This portion of Maurer does not mention melting of any material. Additionally, as the cover film 11 is burned through, there is no interface between the cover film 11 and the card inlay 13 at all at the discolored areas 20 illustrated in Maurer's Fig. 2.

In lines 1-4 on page 7 of the Answer, the Examiner alleges that "(t)he mechanical strength in the area of the laser would be higher because the heat is causing some degree of melting of the plastic with the card body, this forming an increase in material in the area and thereby increasing the mechanical strength." However, the Examiner has failed to provide any rationale or evidence that mechanical strength would necessarily be increased.

The remaining points in the Examiner's Answer are addressed in the Appellants' Appeal Brief, and therefore are not discussed further herein. For the reasons presented in the previously filed Appeal Brief and this Reply Brief, Appellant respectfully submits that the rejections of the claims are not supported by the cited prior art references.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date October 16, 2009

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